

HOUSE No. 807

The Commonwealth of Massachusetts

PRESENTED BY:

Denise Provost

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act establishing a Mystic River water quality commission.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-------------------------|-------------------|
| Denise Provost | 27th Middlesex |
| Carl M. Sciortino, Jr. | 34th Middlesex |
| Patricia D. Jehlen | Second Middlesex |
| Timothy J. Toomey, Jr. | 26th Middlesex |
| William N. Brownsberger | 24th Middlesex |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 841 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT ESTABLISHING A MYSTIC RIVER WATER QUALITY COMMISSION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Notwithstanding any general or special law or regulation to the contrary, a
2 special commission, hereafter referred to as the Mystic River Water Quality Commission,
3 is hereby established for the purpose of making an investigation and study relative to
4 improving the conditions necessary to, and determining the feasibility of, bringing the
5 water quality in the Mystic River basin to a level that supports fishing, boating and
6 swimming.

7 While the water quality of the Mystic River has improved, and is often good, the
8 existence of contaminated sediments and waterborne pollutants make the development of
9 the contact recreational potential of the Mystic River basin problematic, therefore:

10 The Mystic River Water Quality Commission shall study the water quality of the Mystic
11 River basin including, but not limited to:

12 (a) the collection of existing data concerning sediment volume and
13 quality;

14 (b) identification of additional data, technologies, engineering solutions,
15 or environmental solutions necessary, with an estimate of the approximate cost, to
16 determine where removal of toxic sediments from the Mystic River would be appropriate;

17 (c) the collection of existing data concerning bacteria, viruses, toxins, turbidity,
18 dissolved oxygen, and all other water quality and environmental parameters that may

19 affect human exposure to water from the Mystic River;

20 (d) the collection of existing data on water flow and flooding, including
21 operation of the Amelia Earhart dam, and an evaluation of their impact human exposure
22 to water-borne sewage and toxics, as well as their impact on the water quality of the
23 Mystic River;

24 (e) identification of additional data, various technologies, engineering
25 solutions, or environmental solutions necessary, with an estimate of the approximate cost,
26 to improve water quality that may impact human exposure to water from the Mystic
27 River, and the creation of public swimming areas and boating facilities in the lower
28 Mystic River on department of conservation and recreation property;

29 (f) identification of sites for the development of public swimming and boating
30 areas along the Mystic River basin, taking into account current uses, public
31 transportation, and any environmental factors, including current port uses.

32 The Mystic River Water Quality Commission shall be co-chaired by the house and
33 senate chairs of the joint committee on environment, natural resources and agriculture,
34 and consist of:

35 1 member of the house of representatives appointed by the speaker of the house;

36 1 member of the senate appointed by the senate president;

37 1 member appointed by the senate minority leader;

38 1 member appointed by the house minority leader;

39 1 representative of the Environmental Protection Agency selected by the Governor from
40 3 nominations recommended by the Environmental Protection Agency

41 1 representative from the department of conservation and recreation;

42 1 representative from the department of environmental protection;

43 1 representative from the Massachusetts Water Resources Authority appointed by the
44 secretary of environmental affairs from 3 recommendations made by the Massachusetts
45 Water Resources Authority;

46 1 environmental water quality expert from a college or university appointed by the
47 secretary of environmental affairs;

48 1 representative from the environmental justice communities in the Mystic River basin,
49 appointed by the Secretary of the Executive Office of Environmental Affairs;

50 and 1 representative from the Mystic River Watershed Association appointed by the
51 secretary of environmental affairs from 3 recommendations from the Mystic River
52 Watershed Association.

53 All members shall serve without compensation for service on the commission. Said
54 commission may consult individuals and entities outside of its membership for research,
55 advice, support and other functions necessary and appropriate to accomplish the
56 commission's objectives. Said commission shall submit a report,

57 including legislative recommendations, if any, to the joint committee on environment,
58 natural resources and agriculture and the house and senate committees on ways and
59 means by February 1, 2008.